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On October 16, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

PATENT
Attorney Docket No.: A888D1/T2010
AMAT No.: 000888 USA C01/PDD/KPU8/JW
TTC No. 016301-002010US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHAU NGUYEN et al.

Application No.: 09/190,961

Filed: November 12, 1998

For: LIQUID PHOSPHOROUS
PRECURSOR DELIVERY APPARATUS

Examiner: Richard Bueker

Art Unit: 1763

PETITION TO WITHDRAW HOLDING
OF ABANDONMENT
UNDER 37 C.F.R. §1.181(a)
BASED UPON FAILURE TO RECEIVE
USPTO COMMUNICATION

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

A Notice of Abandonment for the above-referenced case was mailed on September 23, 2002. A telephone conference with Examiner Richard Bueker on October 10, 2002 indicated that the Notice of Abandonment was based upon the failure by the USPTO to receive any response to a Notice of Non-Compliant Amendment mailed January 25, 2002. As a courtesy, Examiner Bueker has recently forwarded a copy of this communication, which is attached hereto.

Pursuant to 37 C.F.R. §1.181(a) and MPEP §711.03(c), Applicants hereby petition to withdraw the holding of abandonment in the instant application based upon failure to receive the USPTO communication mailed on January 25, 2002.

The correspondence address for the instant application is as follows:

Legal Affairs Dept.
Applied Materials Inc.
3050 Bowers Ave.
Santa Clara, California 95054

On October 10, 2002, I contacted Ms. Jo Ann Cottrell, an administrative assistant with the Applied Materials' law department regarding this matter. Ms. Cottrell conducted a search of the file jacket and docket records, which revealed that the Applied Materials' law department had never received the communication mailed on January 25, 2002. Ms. Cottrell forwarded to me a relevant page from the Applied Materials' docketing system where the nonreceived Office communication would have been entered had it been received and docketed. This docketing page reflects receipt of the most recent office action (having a response due without extension on December 26, 2001), and the date of actual filing of the response (January 23, 2002 with a one month extension), but does not indicate receipt of any Office communication mailed on January 25, 2002 establishing a thirty-day period for response. A copy of the relevant page from the Applied Materials' law department docketing program is attached hereto in support of this petition.

In view of the foregoing, Applicants respectfully assert that the Examiner's holding of abandonment should be withdrawn. Pursuant to MPEP §711.03(c)(I), it is understood that no fee is required to be submitted with this petition. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account. If the Office believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

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